

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DSS TECHNOLOGY MANAGEMENT, INC.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Civil Action No. 6:13-cv-919
	§	
APPLE, INC.,	§	
	§	
<i>Defendant.</i>	§	

JOINT MOTION TO EXTEND DEADLINE TO MEDIATE

In the Court's March 25, 2014 Docket Control Order [Dkt. No. 33], the parties were ordered to complete their first mediation by July 24, 2014. On July 21, 2014, the parties moved the court to extend this deadline to September 25, 2014. The parties hereby notify the Court that the parties met in person on April 17, 2014, in Sunnyvale, CA to discuss the case and work towards a resolution. Based on the discussions at this meeting and informal discussions between counsel since, the parties agree that resolution is unlikely at this time. At this time, the parties have been unable to schedule a mediation, and the parties do not believe that their respective understandings of the case have changed substantially. The parties believe that mediating after the claim construction arguments have been presented is more likely to be productive. Consequently, the parties respectfully request to extend the deadline to mediate to November 21, 2014. The requested extension does not affect any other date or deadline.

Dated: September 24, 2014

Respectfully submitted,

BUETHER JOE & CARPENTER, LLC

FEINBERG DAY ALBERTI & THOMPSON LLP

By: /s/ Mark Perantie
Christopher M. Joe (Lead Counsel)
State Bar No. 00787770
Chris.Joe@BJCIPLaw.com
Eric W. Buether
State Bar No. 03316880
Eric.Buether@BJCIPLaw.com
Brian A. Carpenter
State Bar No. 03840600
Brian.Carpenter@BJCIPLaw.com
Mark D. Perantie
State Bar No. 24053647
Mark.Perantie@BJCIPLaw.com
Michael D. Ricketts
State Bar No. 24079208
Mickey.Ricketts@BJCIPLaw.com
Timothy J.H. Craddock
State Bar No. 24082868
Tim.Craddock@BJCIPLaw.com

1700 Pacific Avenue
Suite 4750
Dallas, Texas 75201
Telephone: (214) 466-1279
Facsimile: (214) 635-1830

**ATTORNEYS FOR PLAINTIFF
DSS TECHNOLOGY MANAGEMENT, INC.**

/s/ Marc Belloli
Ian N. Feinberg
ifeinberg@feinday.com
David Alberti
dalberti@feinday.com
Yakov Zolotorev
yzolotorev@feinday.com
Marc Belloli
mbelloli@feinday.com
1600 El Camino Real
Suite 280
Menlo Park, CA 94025
Telephone: (650) 618-4360
Facsimile: (650) 618-4368

Melissa Richards Smith
State Bar No. 24001351
melissa@gillamsmithlaw.com
GILLAM & SMITH
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

**ATTORNEYS FOR DEFENDANT
APPLE, INC.**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically on the 24th day of September, 2014, pursuant to Local Rule CV-5(a) and has been served on all counsel who are deemed to have consented to electronic service. Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Mark Perantie

Mark D. Perantie